

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 1998-76-C - ORDER NO. 2008-215
MARCH 28, 2008

IN RE: Application of Knology Holdings, Inc. d/b/a) ORDER GRANTING
Knology of South Carolina, Inc. for a) MOTION FOR
Certificate of Public Convenience and) CONFIDENTIAL
Necessity to Provide Local Exchange Services) TREATMENT

This matter comes before the Public Service Commission of South Carolina (the Commission) on the motion of Knology Holdings, Inc. d/b/a Knology of South Carolina, Inc. (Knology or the Company) for confidential treatment of certain material filed in this docket. Knology requests that the Company's year-end subscriber count report for 2007 be held confidential.

On January 28, 2008, Knology filed with the Commission the Company's year-end subscriber count for 2007. Knology moved that the Company's report be filed with the Commission under seal and be maintained as confidential and filed such information marked as "confidential" separately from the Company's filed redacted version. The Commission determined to hold the Company's request in abeyance and to allot a time period for the Company to provide the Commission with further information to support its request for confidential treatment.¹

¹ See Commission Directive, dated February 13, 2008, and subsequent Commission Order No. 2008-115, dated February 20, 2008.

Knology filed an amended motion for confidential treatment on March 5, 2008. Knology asserts in its amended motion that the Company's report contains information that is proprietary and competitively sensitive and is entitled to trade secret protection. According to Knology, the Company undertakes considerable efforts to maintain the secrecy of the information contained in the report and such information is not publicly disseminated, and therefore Knology renews its prior request that the Commission grant the Company confidential treatment.

A review of the material in question in the Company's report establishes that the material does provide detailed information concerning Knology's business and practices which are sensitive. The South Carolina Freedom of Information Act ("FOIA") allows exemption from disclosure proprietary business information that meets a definition of "trade secrets." S.C. Code Ann. Section 30-4-40(a)(1) states that matters which may be exempt from FOIA include: "(1) Trade secrets, which are defined as unpatented, secret, commercially valuable plans, appliances, formulas, or processes....Trade secrets also include, for those public bodies who market services or products in competition with others, feasibility, planning, and marketing studies, and evaluations and other materials which contain references to potential customers, competitive information or evaluation." We find that the information contained in the Company's year-end subscriber count report for 2007 for which Knology seeks protection as confidential falls within this definition of materials which may be exempted from disclosure under FOIA.

Because the Commission finds that certain portions of the year-end subscriber count report for 2007 of Knology contains competitively sensitive information and meets

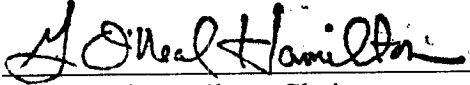
the definition of “trade secrets” as defined under FOIA, the Commission grants the motion.

IT IS THEREFORE ORDERED THAT:

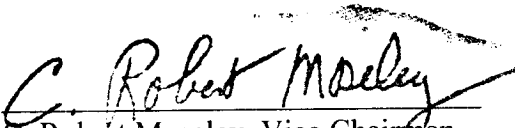
1. The amended Motion of Knology Holdings, Inc. d/b/a Knology of South Carolina, Inc. for confidential treatment is granted. Accordingly, the Company’s 2007 year-end subscriber count report filed with the Commission shall be declared confidential and shall be afforded confidential treatment.

2 This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


G. O’Neal Hamilton, Chairman

ATTEST:


C. Robert Moseley, Vice Chairman

(SEAL.)